

Rev. 12/2018

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 09 2020

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTONUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTONBret Wyatt Neal

Plaintiff's full name and prisoner number

Plaintiff,

v.

Case No. 1:20-cv-03084-RMP

(leave blank – for court staff only)

Spokane County JailED Campbell head of JailPRISONER CIVIL RIGHTS
COMPLAINTChris A. S.A. / DEN MITCHELL

Defendant's/defendants' full name(s)

Defendant(s).

Jury Demand?

☐ Yes☒ No

(If you cannot fit all of the defendants' names in the space provided, please write "see attached" in the space above and attach additional sheets of paper, as necessary, with the full list of names. The names listed here must be identical to those in Section II. Do not include addresses here. **Individuals whose names are not included in this section will not be considered defendants in this action.**)

WARNINGS

1. Do not use this form if you are challenging the validity of your criminal conviction or your criminal sentence. If you are challenging your conviction or sentence, or if you are seeking restoration of good-time credits that would shorten your sentence, you must file a Petition for Writ of Habeas Corpus. If you use this form to challenge your conviction or sentence, you risk having your claim dismissed. Separate forms are available for filing a habeas petition.
2. Under the Prison Litigation Reform Act ("PLRA"), you are required to exhaust all remedies in your institution's grievance system that are available to you before filing suit. This generally means that you must file a grievance and, if it is denied, appeal it through all available levels of review. Your case may be dismissed if you fail to exhaust administrative remedies, unless the administrative grievance process was not "available" to you within the meaning of the PLRA. You are not required to plead or show that you have exhausted your claim in this complaint.

3. Please review your complaint carefully before filing. If your case is dismissed, it may affect your ability to file future civil actions while incarcerated without prepaying the full filing fee. Under the PLRA, a prisoner who has had three or more civil actions or appeals dismissed as frivolous, malicious, or for failure to state a claim cannot file a new action without first paying the full filing fee, unless the prisoner is in imminent danger of serious bodily injury.

4. Under Federal Rule of Civil Procedure 5.2, papers filed with the court, including exhibits or attachments to a complaint, may not contain certain information, which must be modified as follows:

Do not include:

- a full social security number
- a full birth date
- the full name of a minor
- a complete financial account number

Instead, use:

- the last four digits
- the birth year
- the minor's initials
- the last four digits

5. At this stage of the proceeding, you need not submit exhibits, affidavits, grievances, witness statements, or any other materials with this complaint to the Clerk's Office. Any documents you submit *must relate directly to the claims you raise in this lawsuit*. They will become part of the court record and *will not be returned to you*.

I. PLAINTIFF INFORMATION

Neal Brett Wyatt

Name (Last, First, MI)

NONE

Aliases/Formal Names

035743

Prisoner ID #

Yakima County Jail

Place of Detention

111 North Front St

Institutional Address

Yakima

County, City

WA

State

98901

Zip Code

Indicate your status:



Pretrial detainee



Civilly committed detainee



Immigration detainee



Convicted and sentenced state prisoner



Convicted and sentenced federal prisoner

II. DEFENDANT INFORMATION

Please list the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint. Make sure that the defendant(s) listed below are identical to those contained in the caption on the first page of the complaint. Attach additional sheets of paper as necessary.

Defendant 1: Milscobay CO
 Name (Last, First)
works with Medcail
 Current Job Title
111 North Front st
 Current Work Address
Yakama WA 98901
 County, City State Zip Code

Defendant 2: ED CAMbell
 Name (Last, First)
Head of the Jail
 Current Job Title
111 North Front st
 Current Work Address
Yakama WA 98901
 County, City State Zip Code

Defendant 3: HSA Chris
 Name (Last, First)
head of Medcail
 Current Job Title
111 North Front st
 Current Work Address
Yakama WA 98901
 County, City State Zip Code

III. STATEMENT OF CLAIM(S)

In this section, you must explain what you believe each defendant did to violate your civil rights, and if you know, identify the federal statutory or constitutional right you believe was violated.

If you believe the defendant(s) violated your civil rights in more than one way, explain each violation under a different count. For example, if you believe you received constitutionally inadequate medical care and your religious rights were substantially burdened, include one claim under "Count I" (i.e., medical) and the other claim under "Count II" (i.e., religion).

Number your paragraphs. For example, in Count I, paragraphs should be numbered 1.1, 1.2, 1.3, etc., and in Count II, paragraphs should be numbered 2.1, 2.2, 2.3, etc. The first two paragraphs of each Count have been numbered for you.

If you have more than three counts, attach additional pages and follow the same format for each count.

If you attach documents to support the facts of your claim(s), you must specify which portion of the document(s) (i.e., page and paragraph) you are relying on to support the specific fact(s) of your claim(s). If you do not specify the portion of the supporting document(s), the Court may disregard your document(s).

COUNT I

Identify the first right you believe was violated and by whom:

1.1 Not being able to be tested for the Virus-19
not be seen by a doctor, Being told that i don't meet
the standards

State the facts of your first claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

1.2 I haven't been feeling well! So I ask Medical
to test me, I was turned down with out
seeing a doctor The Administrator
Chris H.S.A whom don't care about

The safety or health for inmates officer Mikebbay has told me that i dont meet their standards to be tested!

I havent been seen as of yet and nor have I been tested for the Vires,

Mr Campbell sets the standards

for the Jail and so Does Mr.

Campbell. Mr Campbell lied to the

News paper. That inmates are kept

6 feet apart from each other, That's a

lie and he says that markers have been

given out to us That's a lie we dont

even get cleaning gear to clean our

own cells we are to live in a dirty cell

we use our sheets and our T-Shirts

to clean our floors with here on the

4th Floor Chris HSA is head of

medcal he wont test me at all

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count I. Continue to number your paragraphs.

I am asking to be tested at once, and be

given for my pain and sufferings 7.5

million dollars! And to having to live in

a messy room and out only one hour a

day! and to be tested

COUNT II

Identify the second right you believe was violated and by whom:

2.1 Being told without being seen by a doctor
Officer Mikebbay, said no Testing

State the facts of your second claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

2.2 OFFICER Mikebbay with out seeing me or
with out asking me what was wrong! Mikebbay
Just said in no other words NO way am I
going to be tested Because I dont meet
These standards Mr Trump said that
if we are a USA person Then we have the
wright to be tested no matter where we
are at, And NO ONE KNOWS what the
standers are on if you do or dont
have the (VIRUS) Four guards had
the VIRUS For two weeks before they
found out that they had it. They
never showed any signs of having it
They showed NO sickness That is!
And no matter what we say The staff
says That we dont meet any standers
for the VIRUS

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count II. Continue to number your paragraphs.

Same as COUNT I
7.9 million in damages and to be tested
and having to live in a messy Room
23 hours a day!

COUNT III

Identify the third right you believe was violated and by whom:

3.1 Chris HSA hurt me about the health
or safety of inmates, They let their Nurses do what they
want to do to us

State the facts of your third claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

3.2 Chris HSA has contacted me and
has lied to me just to stop me
From asking to be tested he told me that i
would be seen But that was two weeks ago!
This jail dont have as many people in

in here as they did before the Virus
started we are just a paycheck to them.
They can always get more test kits for
us to be tested! But they will not do that
because they are afraid that some or
all of us have it

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count III. Continue to number your paragraphs.

Same as count 1 7.5 million in damages
and to be tested and having to live in a
messy room 23 hours a day

IV. RELIEF

State exactly what you want the Court to do for you. For example, you may be seeking money damages from an individual defendant, you may want the Court to order a defendant to do something or to stop doing something, or you may want both kinds of relief. Make no legal arguments. Cite no cases or statutes.

Get us All tested and 7.5 Million dollars
in damages For having to live in a messy
Room 23 hours a day! With no cleaning
gear! To sweep or mop our Rooms

V. SIGNATURE

By signing this complaint, you represent to the Court that you believe the facts alleged to be true to the best of your knowledge, that you believe those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

6/1/20

Dated

Bert Wyatt Neal

Plaintiff's Signature